



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

September 26, 1994

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

Robert L. Morgan  
State Engineer

1636 West North Temple, Suite 220  
Salt Lake City, UT 84116-3156  
801-538-7240  
801-538-7467 (Fax)

Dr. Raymond G. Montgomery  
2815 Minuet  
West Valley City, Utah 84119

Dear Dr. Montgomery:

After our telephone conversation on the 10th, I reviewed your water rights and checked with John Jensen concerning the situation in the Clarkston area.

Based on my discussion with John, I am not sure there have been any improprieties in distributing the water this year. This has been a very dry year in the Clarkston area; I understand the entire area has been on water rationing since fairly early in the season. Given the small size of your water rights I am not sure it was physically possible for the water to reach your place of use.

Right now I see no justification for the division to require the city to make any changes in the way it is using the water. If you still feel strongly that there are improprieties which require regulation, we could consider appointing a commissioner in the area. However, you and the other water right holders (James Peterson and the city) would be equally responsible for the distribution costs (commissioner salary, etc) and you would be assessed by the Division of Water Rights for those costs.

Dry years are always difficult and I am sure it has been a difficult year for you. We hope this coming year will be better. If you would like to request that we consider appointing a commissioner, please send a written request to my attention stating the situation and the reason a commissioner is needed.

Sincerely,

Lee H. Sim, P.E.  
Assistant State Engineer  
for Distribution

cc: Bob Fotheringham

